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*Attorneys for Irving H. Picard, Trustee
for the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

THE JORDAN H. KART REVOCABLE TRUST,
THE ESTATE OF JORDAN H. KART,
JONATHAN J. KART, individually and in his
capacities as executor of the Estate of Jordan H. Kart
and successor trustee of the Jordan H. Kart

Adv. Pro. No. 10-04718 (SMB)

Revocable Trust, and CAROLYN J. KART,
individually and in her capacity as executor of the
Estate of Jordan H. Kart,

Defendants.

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL
OF ADVERSARY PROCEEDING WITH PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* (“SIPA”), and the substantively consolidated chapter 7 estate of Bernard L. Madoff individually (“Madoff”), by and through their counsel, Baker & Hostetler LLP, and the Jordan H. Kart Revocable Trust, the Estate of Jordan H. Kart, Jonathan J. Kart, individually and in his capacities as executor of the Estate of Jordan H. Kart and successor trustee of the Jordan H. Kart Revocable Trust, and Carolyn J. Kart, individually and in her capacity as executor of the Estate of Jordan H. Kart (“Defendants”), by and through their counsel, David R. Softness, David R. Softness, P.A. (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On December 1, 2010, the Trustee filed and served his Original Complaint.
2. On September 12, 2012, the Trustee filed and served an Amended Complaint against Defendants.
3. On September 18, 2015, Defendants filed and served their Answer to the Amended Complaint on the Trustee.
4. Pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010 [Dkt. No. 3181], the Parties entered into a Settlement Agreement and Release on August 26, 2019.
5. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal with prejudice

of the Trustee's claims against Defendants in the above-captioned adversary proceeding and dismissal of the adversary proceeding with prejudice.

6. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

7. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

8. The Bankruptcy Court shall retain jurisdiction over this Stipulation.

[Remainder of page intentionally left blank]

Date: August 27, 2019
New York, New York

BAKER & HOSTETLER LLP

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Revocable Trust, The Estate of Jordan H.
Kart, Jonathan J. Kart, individually and in his
capacities as executor of the Estate of Jordan
H. Kart and successor trustee of the Jordan
H. Kart Revocable Trust, and Carolyn J.
Kart, individually and in her capacity as
executor of the Estate of Jordan H. Kart*

SO ORDERED:

/s/ Stuart M. Bernstein
Hon. Stuart M. Bernstein
United States Bankruptcy Judge

Dated: August 27, 2019
New York, New York